

**UNITED STATES DISTRICT COURT  
FOR THE Northern District of Illinois – CM/ECF LIVE, Ver 6.2.1  
Eastern Division**

Simon Bernstein Irrevocable Insurance Trust Dtd  
6/21/95, et al.

v.

Plaintiff,

Case No.:  
1:13-cv-03643  
Honorable John  
Robert Blakey

Heritage Union LIfe Insurance Company

Defendant.

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**NOTIFICATION OF DOCKET ENTRY**

This docket entry was made by the Clerk on Thursday, December 21, 2017:

MINUTE entry before the Honorable John Robert Blakey: Third Party Eliot Bernstein has filed a motion seeking leave to proceed on appeal in forma pauperis [308] and a motion seeking recruitment of counsel [310]. The affidavit submitted along with his motion discloses that his spouse earns \$2,700/month, and the couple has three dependent sons, ages 19, 18 and 14. Initially, the income alone places this party well above the poverty line, even for a household of five. Additionally, as the Court understands it, several members of Bernstein's household stand to receive substantial disbursements from the interpleaded funds released on 11/21/17. In short, the record before the Court does not demonstrate indigence. Accordingly, both motions are denied. The 12/26/17 Notice of Motion date is stricken, and the parties need not appear. Mailed notice(gel, )

**ATTENTION:** This notice is being sent pursuant to Rule 77(d) of the Federal Rules of Civil Procedure or Rule 49(c) of the Federal Rules of Criminal Procedure. It was generated by CM/ECF, the automated docketing system used to maintain the civil and criminal dockets of this District. If a minute order or other document is enclosed, please refer to it for additional information.

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UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Everett McKinley Dirksen United States Courthouse  
Room 2722 - 219 S. Dearborn Street  
Chicago, Illinois 60604



Office of the Clerk  
Phone: (312) 435-5850  
[www.ca7.uscourts.gov](http://www.ca7.uscourts.gov)

**CIRCUIT RULE 3(b) FEE NOTICE**

January 11, 2018

No. 17-3595	<p>ELIOT I. BERNSTEIN, Cross Plaintiff - Third Party Defendant - Appellant</p> <p>v.</p> <p>TED BERNSTEIN, individually and as alleged Trustee of the Simon Bernstein Irrevocable Insurance Trust dated 06/21/1995, Cross Defendant - Appellee</p> <p>and</p> <p>PAMELA SIMON, et al., Third Party Defendants - Appellees</p>
<b>Originating Case Information:</b>	
<p>District Court No: 1:13-cv-03643 Northern District of Illinois, Eastern Division Clerk/Agency Rep Thomas G. Bruton Court Reporter Lisa Breiter District Judge John Robert Blakey</p>	

This court's records indicate that on **December 21, 2017** the District Court denied your motion to proceed in forma pauperis.

Pursuant to Federal Rule of Appellate Procedure 24(a),

**WITHIN THE NEXT THIRTY (30) DAYS YOU MUST EITHER:**

1. Pay the required \$500.00 docketing fee PLUS the \$5.00 notice of appeal filing fee (\$505.00 TOTAL) to the District Court Clerk. The Court of Appeals cannot accept this fee. You should keep a copy of the receipt for your records.

2. File a motion to proceed on appeal in forma pauperis with the Court of Appeals. An original and three (3) copies of that motion, with proof of service on your opponent, is required. This motion must be supported by a sworn affidavit in the form of a sworn statement listing your assets and income.

**IF ONE OF THE ABOVE ACTIONS IS NOT TAKEN WITHIN 30 DAYS FROM THE DATE LISTED ABOVE, YOUR CASE WILL BE DISMISSED, PURSUANT TO CIRCUIT RULE 3(b).**

form name: c7\_Rule3b\_Noteice\_Sent(form ID: 145)